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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/013,093	12/07/2001	Adam Chaney	1005-0012	1463
27045	7590	04/03/2006	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			AHMED, SALMAN	
			ART UNIT	PAPER NUMBER
			2616	
DATE MAILED: 04/03/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/013,093	Applicant(s) CHANEY ET AL.	
	Examiner Salman Ahmed	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/22/06(Amendment).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11-14,17-19 and 21 is/are rejected.
- 7) ☒ Claim(s) 3-10, 15, 16, 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/7/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-21 are pending.

Claims 1, 2, 11-14, 17-19 and 21 are rejected.

Claims 3 –10, 15, 16, 20 are objected.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 18, 19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kouketsu et al. (US PAT PUB 2003/0149641), hereinafter referred to as Kouketsu.

In regards to claim 1, Kouketsu anticipates a method of providing service users (page 4 section 0068, cellular phones working as service user terminals) in a telecommunications network (figure 1) with access to a subscriber service (page 1, section 0001, reservation management system and page 10 section 0140, process of sending e-mail) the method comprising the steps of: registering in the network (page 5 section 0068, membership registration), a plurality of service users (page 4 section 0068, cellular phones working as service user terminals) who subscribe to the

subscriber service (page 1, section 0001, reservation management system and page 10 section 0140, process of sending e-mail); receiving at a presence server (page 8 and 9 section 0114 and figure 3, administration server 12) in the network, a registration message (page 8 and 9 section 0114, when the service provider terminal 38 makes a connection to the administration server 12, the log-in program of the authentication hardware key 61 sends out a log-in ID and a password given to each service provider by the administrator of the administration server 12) from at least one service provider (figure 3, and page 8 and 9 section 0114, the service provider terminal 38) that is a provider of the subscriber service (page 1, section 0001, reservation management system and page 10 section 0140, process of sending e-mail), the registration message including service capability information (page 10 section 0141, Next, the service provider limits the range of e-mail target service users among those on its member list in the shop member database 30a, using the database management system 28c based on appropriate conditions) for the service provider and sending an identity of the service provider (page 10 section 0032, a screen image for selecting a membership class is sent to the service user terminal, and the class selected by the member is recorded in the shop member database 30a as the membership class data) from the presence server (page 8 and 9 section 0114 and figure 3, administration server 12) to the plurality of service users (page 4 section 0068, cellular phones working as service user terminals) upon the presence server determining that the service capability information provided by the service provider matches subscriber service subscribed by plurality of service users (page 10 section 0132, when the user is enrolled as a shop member, the

administration server 12 records his/her user ID and the shop ID, correlating them with each other in the shop member database 30a. If a service provider classifies its members according to their membership fees and other data and changes services and merchandise presented to the customers according to their membership classes, a screen image for selecting a membership class is sent to the service user terminal, and the class selected by the member is recorded in the shop member database 30a as the membership class data).

In regards to claim 18, Kouketsu anticipates a system for providing service users (page 4 section 0068, cellular phones working as service user terminals) in a telecommunications network (figure 1) with access to a subscriber service (page 1, section 0001, reservation management system and page 10 section 0140, process of sending e-mail) and system comprising at least one service provider (figure 3, and page 8 and 9 section 0114, the service provider terminal 38) that sends registration information (page 8 and 9 section 0114, when the service provider terminal 38 makes a connection to the administration server 12, the log-in program of the authentication hardware key 61 sends out a log-in ID and a password given to each service provider by the administrator of the administration server 12) including service capability information for the service provider (page 10 section 0141, Next, the service provider limits the range of e-mail target service users among those on its member list in the shop member database 30a, using the database management system 28c based on appropriate conditions) and a presence and instant messaging server (page 8 and 9 section 0114 and figure 3, administration server 12) that receives registration

information, service information and presence information for a plurality of service users and service providers (page 6 section 0074, a plurality of service provider terminals possessed by service providers providing the individual services of plural types, and a system server. This system server has customer databases that are installed in the service providers, respectively, and stores the information about a plurality of service users who receives services, client information databases that are installed in the respective service providers and each store the information about the individual service providers and the contents of their services, and reservation management databases that are installed in the respective service providers and stores the information about reservation inquiries from the service users and the reservation information); PIM server including means for determining from the registration information received from each service provider, a type of service that is provided by the service provider (page 6 section 0083, the advertising mail delivery system is an advertising system by which service providers can send information about the service providers' shops, for example, advertising information of sales announcements directly to service user terminals possessed by the service users with e-mail), and communication means for notifying the service users of an identity of a service provider when the service provider registers (page 10 section 0132, when the user is enrolled as a shop member, the administration server 12 records his/her user ID and the shop ID, correlating them with each other in the shop member database 30a. If a service provider classifies its members according to their membership fees and other data and changes services and merchandise presented to the customers according to their membership classes, a screen image for

selecting a membership class is sent to the service user terminal, and the class selected by the member is recorded in the shop member database 30a as the membership class data).

In regards to claim 19, Kouketsu anticipates a connection node (figure 3, service provider terminals 38) in communication with the PIM server (page 8 and 9 section 0114 and figure 3, administration server 12), said connection node being operable to establish a connection between service users (page 4 section 0068, cellular phones working as service user terminals) who subscribe to the subscriber service (page 1, section 0001, reservation management system and page 10 section 0140, process of sending e-mail) and a registered service provider (figure 3, service provider terminals 38) that provides the subscriber service.

In regards to claim 21, Kouketsu anticipates the system is operable to establish a connection between service users (page 4 section 0068, cellular phones working as service user terminals) who subscribe to the subscriber service (page 1, section 0001, reservation management system and page 10 section 0140, process of sending e-mail) and a registered service provider (figure 3, service provider terminals 38) that provides the subscriber service utilizing an associated Internet Protocol (IP) network (page 5 section 0068, the internet)..

3. Claims 14 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Grandgent et al. (US PAT PUB 2003/0021400), hereinafter referred to as Grandgent.

In regards to claim 14, Grandgent anticipates a method of balancing traffic load between a plurality of service providers (figure 1, conference server 20) that provide a subscriber service (page 2 section 0041, conferencing) to a plurality of service users (figure 1, a wireless device such as a cellular phone 12 or PDA 14) in a telecommunications network (figure 1, element 10) method comprising the steps of registering in the network a plurality of service providers (page 3 section 0055, MC Server 50 sends a "register me to watch all lines on Bridge X" (or similar) message to the RR) that provide the subscriber service (page 2 section 0041, conferencing), service provider registering step including modifying registration messages from the service providers to include an indication of a traffic load being handled by each service provider (page 2 section 0050, once an MC Server 50 has made a bridge connection, it informs the RR of the bridge's resources - e.g., number of lines, number of conferences, number of trunks, and the names of the trunks, as well as their types), analyzing the traffic load indications to determine a service provider that is the most lightly loaded (page 3 section 0052, The RR component preferably also handles load balancing. Load distribution, or balancing, determines how conferences and lines are distributed among bridges 30 within a system 10) and notifying the plurality of service users that the most lightly loaded service provider is present on the network (page 3 section 0052, when a request for a line is made, the RR determines which line on which bridge to allocate).

In regards to claim 17, Grandgent anticipates a method of balancing traffic load between a plurality of conference servers (figure 1, mobility conferencing (MC) servers

50) that are registered in a telecommunication network (figure 1, element 10) to provide a conferencing service to a plurality of users (figure 1, a wireless device such as a cellular phone 12 or PDA 14) comprising the steps of

 sending a first request message to the conferencing service (page 8 section 0113, initiating user picks up wireless phone and dials *XY, *X being the feature code, Y being the group number. Call setup messaging is routed through carrier's network terminating with an SS7 ISUP message being sent to the SS7 server 42) from a first requesting user (figure 1, a wireless device such as a cellular phone 12 or PDA 14) to a presence server (page 8 section 0113, the SS7 server 42) in the network request message including an identity of the first requesting user and a first party to be connected by the conference server (page 8 section 0113, initiating user picks up wireless phone and dials *XY, *X being the feature code, Y being the group number. Call setup messaging is routed through carrier's network terminating with an SS7 ISUP message being sent to the SS7 server 42. The message contains the phone number of the dialing phone and group number (Y) in the "A" and "B" fields);

 assigning by the presence server, a first of the plurality of conference servers to the first requesting user (page 8 section 0113, the MT Server 44 performs account and group validation. The MT Server 44 creates a list of phone numbers from the group, presence information, and configuration options. The MT Server 44 consults with the Resource Registrar to get a conference with the appropriate number of lines. The MT Server 44 then sends a message to the MC Server 50 requesting a conference be created);

receiving by the presence server a second request message for the conferencing service (page 8 section 0113, Call setup messaging is routed through carrier's network terminating with an SS7 ISUP message being sent to the SS7 server 42); determining by the presence server, whether the second request message is also from the first requesting user; forwarding the second request message from the presence server to the first conference server, upon determining that a second request message is also from the first requesting user (page 8 section 0113, the MT Server 44 performs account and group validation. The MT Server 44 creates a list of phone numbers from the group, presence information, and configuration options. The MT Server 44 consults with the Resource Registrar to get a conference with the appropriate number of lines. The MT Server 44 then sends a message to the MC Server 50 requesting a conference be created); and

assigning by the presence server a second conference server to the second requesting user in round-robin fashion upon determining that the second request message is from a second requesting user (page 2 section 0042 and section 0050, each of the conference bridges 30 is configured and arranged to receive audio from conference participants via various communication channels 60, such as the public switched telephone network (PSTN), wireless networks, VoIP, etc. Once an MC Server 50 has made a bridge connection, it informs the RR of the bridge's resources - e.g., number of lines, number of conferences, number of trunks, and the names of the trunks, as well as their types). It is inherent that a new conference request from a new user will go to a different conference server in a multi-conference server environment. It is also

inherent that one of the choosing or selecting criteria (round-robin) would be used to choose which conference server would be used next.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kouketsu in view of HYONG et al. (CHIT CHUNG, MICHAEL LONG, GARDNER PATTON, AND SIDDHARTA DALAL. 2001. An example of using presence and availability in an enterprise for spontaneous, multiparty, multimedia communications, April 2001) hereafter referred to as Hyong, in view of Enhancing SIP with spatial location for

emergency call services Costa-Requena, J.; Haitao Tang; Computer Communications and Networks, 2001, hereinafter referred to as Costa-Requena.

Kouketsu teaches setting up user services provided by service providers as described in the rejection of claim 1 above.

Kouketsu does not explicitly teach network utilizing SIP protocol control signaling for call setup and call control and the step of sending a registration message from at least one service provider to a presence server in the network, modifying a SIP REGISTER message to include service capabilities information for the service provider; and sending the SIP REGISTER message from the service provider to the presence server.

HYONG in the same field of endeavor teaches network utilizing SIP protocol control signaling for call setup and call control (page 6, SEC uses Session Initiation Protocol (SIP) [1] and its proposed extensions [16], [17] to register users) and the step of sending a registration message from at least one service provider to a presence server (figure 7, "200 okay CREATE CONF_X" from MTCU/CMCU) in the network.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kouketsu's method by using SIP messages to setup user services by service providers as taught by Hyong. The motivation is that (as taught by Hyong, Third from the last paragraph of section F) SIP is chosen mainly because of its simplicity and flexibility. The basic SIP consists of a small number of methods and allows for incorporating application-specific semantics into its methods. In addition, SIP

messages are encoded in plain text. This greatly helps streamline the testing and debugging process during implementation.

Kouketsu in view of Hyong teach setting up user services provided by service providers using SIP.

Kouketsu in view of Hyong do not explicitly teach modifying a SIP REGISTER message to include service capabilities information for the service provider.

Costa-Requena in the same field of endeavor teaches (page 326, section: Introduction) SIP, accepts complementary information inserted as SIP payload for other applications. Thus, it is remarkable the fact of providing location information as part of the signaling flow to facilitate the development of location-based services. Currently, SIP is able to set up a call carrying the information of a more detailed multimedia session using protocols as the Session Description Protocol (SDP) [3].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kouketsu in view of Hyong's teaching by incorporating the concept of modifying the SIP messages to incorporate additional application related data as taught by Costa-Requena. The motivation is that (as taught by Costa-Requena. Page 326 section: introduction) SIP contains the main headers for establishing a multimedia transaction, and they can be easily extended with new features.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kouketsu in view of HYONG.

Kouketsu teaches setting up user services provided by service providers as described in the rejection of claim 1 above.

Kouketsu does not explicitly teach subscriber service is a conferencing service, and the service provider is a conference server.

HYONG in the same field of endeavor teaches subscriber service is a conferencing service (abstract), and the service provider is a conference server (figure 5: MTCU and MCU and figure 7:MTCU/CMCU).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kouketsu's method of providing conferencing as a service by service providers as taught by Hyong. The motivation is that (as suggested by Hyong, abstract) in today's distributed, team-oriented work environment, it is critical that team members should be able to conduct multiparty, multimedia conferencing spontaneously.

8. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kouketsu in view of Schulzrinne et al. (The Session Initiation Protocol: Internet-centric signaling; Communications Magazine, IEEE Volume 38, Issue 10, Oct. 2000 Page(s):134 – 141), hereinafter referred to as Schulzrinne.

Kouketsu teaches setting up user services provided by service providers as described in the rejections of claim 1 above.

Kouketsu does not explicitly teach group establishment service is a game service, and the service provider is a game server.

Schulzrinne in the same field of endeavor teaches that current applications of SIP focus on interactive multimedia sessions such as Internet phone calls or multimedia conferences, but SIP or extensions of the protocol can also be used for instant messaging, event notification or managing other session types, such as distributed games (Introduction)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kouketsu's method of providing gaming as a service by service providers as taught by Schulzrinne. The motivation is that (as suggested by Schulzrinne, Introduction) current applications of SIP focus on interactive multimedia sessions such as Internet phone calls or multimedia conferences, but SIP or extensions of the protocol can also be used for instant messaging, event notification or managing other session types, such as distributed games.

Allowable Subject Matter

9. Claims 3 –10, 15, 16, 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

1. Applicant's arguments, see page 8 of the Remarks section, filed 2/22/2006, with respect to the double patenting rejection have been fully considered and are persuasive. The double patenting rejection has been withdrawn.
2. Applicant's arguments, pages 8-10 of the Remarks section, filed 2/22/2006, with respect to the 103 rejection have been fully considered. Applicant's amendment to claim 1 necessitated the new ground(s) of rejection presented in this Office action. Claims 2-21 have also been examined on their merits.

Conclusion

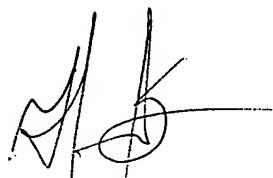
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salman Ahmed whose telephone number is (571)272-8307. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2616

SA
03/28/2006



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